

National Primary Drinking Water Regulation: Lead and Copper  
January 10, 2018

Issue:

# Deliberative Process / Ex. 5

Background:

- The Safe Drinking Water Act authorizes EPA to promulgate national primary drinking water regulations that either establish a maximum contaminant level or a treatment technique “to prevent known or anticipated adverse effects on the health of persons to the extent feasible.”
- The Lead and Copper Rule is a treatment technique regulation promulgated in 1991. **Through implementation of the 1991 LCR, the number of large drinking water systems reporting 90<sup>th</sup> percentile exceedances of the 15ppb action level has decreased by 90%. Also, in the same time period, there has been a 10-fold decrease in the percentage of children with elevated blood lead levels across the country as a result of LCR implementation and other protective actions to reduce exposures to lead in the environment.**
- Lead service lines and household plumbing materials containing lead and copper are the primary sources of lead and copper in drinking water. The Lead and Copper Rule requires residential tap samples for lead and copper to determine whether corrosion control has been optimized. If the 90<sup>th</sup> percentile of the tap sample results are above the 15ppb action level, several actions are triggered, including:
  - State-approved **corrosion control treatment** to make water less corrosive to lead and copper.
  - **Public education** - water systems must distribute educational materials about risks from drinking water in lead and actions consumers can take to reduce exposure.
  - **Lead Service Line Replacement** – require water systems to replace portions of the lead service lines the system owns and offer to replace the private portion of the lead service line (at homeowner’s expense).

Challenges with the Current LCR:

# Deliberative Process / Ex. 5

# Deliberative Process / Ex. 5

## Deliberative Process / Ex. 5

Stakeholder Outreach: EPA has conducted extensive outreach with stakeholders to inform potential revisions to the LCR

- Big 10 Federalism Consultation (Completed in 2011 and will be repeated in January - March, 2018) and several school organizations
- National Tribal Consultation (Completed in 2011 and will be repeated from January – March, 2018)
- National Drinking Water Advisory Council
- Local Government Advisory Committee
- Small Business Regulatory Enforcement Fairness Act/SBAR Panel
- Environmental Council of States; Association of State and Territorial Health Officials; Association of State Drinking Water Administrators; Council of Infrastructure Financing Authorities; Science Advisory Board